| 1<br>2<br>3<br>4<br>5 | JAMES PHILLIP VAUGHNS, State Bar #124<br>Law Offices of James Phillip Vaughns<br>6114 LaSalle Avenue, Ste 289<br>Oakland, California 94611<br>Telephone: 510-583-9622<br>Facsimile: 510-886-7218<br>Attorney for Ronald PELAEZ  | 1040   |  |
|-----------------------|---|--|--|
| 6<br>7                | UNITED STATE  | S DISTRICT COURT                             |  |
| 8                     | NORTHERN DISTRICT OF CALIFORNIA   |  |  |
| 9                     | SAN FRANCISCO DIVISION  |  |  |
| 10                    |   |  |  |
| 11                    |   |  |  |
| 12                    | UNITED STATES OF AMERICA, )   | NO.: CR 11-0154 MMC                          |  |
| 13                    | Plaintiff,  | STIPULATION AND PROPOSED                     |  |
| 14                    |   | ORDER CONTINUING CHANGE OF PLEA HEARING DATE |  |
| 15                    | VS.   | AND ORDER DENYING STIPULATION                |  |
| 16                    | RONALD PELAEZ,  |  |  |
| 17                    | Defendant.  |  |  |
| 18                    |   |  |  |
| 19                    | STIPULATION The parties stipulate as follows:   |  |  |
| 20                    |   |  |  |
| 21                    | <ol> <li>Mr. Pelaez will resolve this matter by way of a guilty plea pursuant to the negotiated Plea         Agreement in this matter which has been the subject of much discussion and revision.</li> <li>To facilitate the change of plea contemplated by the parties, Mr. Pelaez needs to be         arraigned on the proposed Information.</li> <li>Counsel for the Government has no objection to this matter being continued until</li> </ol> |  |  |
| 22                    |   |  |  |
| 23                    |   |  |  |
| 24                    |   |  |  |
| 25                    | November 14, 2012 at 2:30 p.m. for change of plea considering the above circumstance.   |  |  |
| 26                    | 1.5 venioer 1., 2012 at 2.50 p.m. for change of pica considering the above circumstance.  |  |  |
| 27                    |   |  |  |
| 28                    |   |  |  |

| 1  | 4. The parties further stipulate and agree that the time between October 24, 2012 and  |  |
|----|--|--|
| 2  | November 14, 2012 should be excluded under the Speedy Trial Act, specifically pursuant |  |
| 3  | to 18 U.S.C. § 3161(h)(7)(B)(iv) to allow effective preparation of counsel.            |  |
| 4  |  |  |
| 5  |  |  |
| 6  | IT IS SO STIPULATED  |  |
| 7  |  |  |
| 8  | DATED: October 23, 2012 -S-  |  |
| 9  | KEVIN J. BARRY   |  |
| 10 | Assistant United States Attorney   |  |
| 11 |  |  |
| 12 | DATED: October 23, 2012  |  |
| 13 | -S-  |  |
| 14 | JAMES PHILLIP VAUGHNS.<br>Attorney for Defendant PELAEZ                                |  |
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| 19 | STATES DISTRICT CO.  |  |
| 20 | STATE  |  |
| 21 |  |  |
| 22 | DENIED Cherry  |  |
| 23 | DENIED  Mafine M. Chesney  Judge Maxine M. Chesney                                     |  |
| 24 | Judge Maxine M. Chesner  |  |
| 25 | Dated: October 24, 2012  |  |
| 26 | Dated: October 24, 2012  |  |
| 27 | 101 KIO  |  |
| 28 | - 2 -  |  |